(a) whether Government has a proposal to evolve a procedure to close cases, including those involving criminal offences, through compromise; and

(b) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) As per the information received from the Ministry of Home Affairs, there is no proposal to evolve a procedure to close cases, including those involving criminal offences, through compromise in terms of the code of criminal procedure, 1973'and the Indian Penal Code, 1860.

Electronic Voting Machines

2482.SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the details of voting system being practised by G-8 countries, using the Electronic Voting Machines (EVMs) and other devices, country-wise; during last two decades;

(b) whether some countries have replaced EVMs and reverted back to earlier methods of secret ballot;

(c) if so, the details of such countries, stating the period and reasons for such decision;

(d) whether the EVMs are 100 per cent tamper-proof; and

(e) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) The information is being collected and will be laid on the Table of the House.

(b) and (c) There is no such formal information available with the Legislative Department, Ministry of Law and Justice and the Election Commission of India.

(d) and (e) The Election Commission has intimated the following information in respect of the working of Electronic Voting Machines (EVMs):—

(i) The EVMs have not been introduced all of a sudden. These have been tested initially and gradually introduced all over the country.

(ii) The EVMs have been tested by an Expert Committee consisting of experts from IIT appointed by the Government.

(iii) The EVMs have been certified as tamper proof reliable device by Expert Committee and various preventive to precautionary steps have been preserved by the Commission for the operation, maintenance and storage of the EVMs.

(iv) There have been some minor mechanical and human errors while handling them during elections which have been attended promptly by replacing the EVMs or repairing them.

(v) The EVM mentioned in the complaint is being checked by the manufacturers to detect the actual defect in it and reason for the same will be ascertained (like manufacturing defect etc.).

(vi) Many Courts including Supreme Court have time and again appreciated the efficiency of EVM in many court cases. Attention, in this regard, is invited to the judgment of the Hon'ble High Court of Madras in WP No. 3346, 3633, 4417, 4454, 4466, 4945, 5077, 6038 and 6039 of 2001 dated 10.4.2001, AIADMK and others *Vs.* Chief Election Commissioner and others where the Hon'ble Court dismissed the writ challenging the introduction of EVMs. The petitioner's challenged this ruling of the Madras High Court before the Supreme Court in C.C.2824 and 2825/2001 which was dismissed by the Hon'ble Apex Court in its decision dated 23.4.2001 and the decision of the Madras High Court was upheld. Separately, the Hon'ble High Court of Kerala in E.P. No. 4 of 2001-T.A.Ahammed Kabeer *Vs* A.A.Azeez and others and Hon'.ble High Court of Karnataka in E.P.No. 29 of 1999-Michael D. Fernandes *Vs.* C.K.Jaffar Sharif and others have upheld the EVM as a safe and secure device for conduct of elections.

(vii) The Commission has also given the opportunity to the persons who alleged that EVM could be manipulated/tampered with. However, no one could prove it yet.

Pending cases in Rajasthan High Court

2483.DR. GYAN PRAKASH PILANIA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of pending cases in the Rajasthan High Court, till date;

(b) the number out of them which are over 15 years old, less than 15 years but more than 10 years old, less than 10 years but more than five years old and the date since when the oldest case is pending;

(c) the vacancies of High Court Judges; and

(d) the steps proposed to be taken to expedite disposal of the pending cases, particularly those pending for over ten years;

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) As per the report received from the Registry of the Rajasthan High Court, 2,43,208 cases are pending in the Rajasthan High Court as on 30.6.2009. Out of these, 28394 cases are pending for over ten years and 68617 cases pending for less than 10 years but more than five years.

(c) There are 11 vacancies of Judges in the Rajasthan High Court.

(d) Various steps are taken to expedite disposal of the pending cases which include grouping of cases involving common questions of law, constitution of specialized benches, setting up of special courts and organizing Lok Adalats at regular intervals. Alternative modes of disposal including mediation, negotiation and arbitration have been encouraged. Steps have also been taken for modernization of the judicial infrastructure through computerization of courts.